

Message

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**From:** Hurlid, Kathy [Hurlid.Kathy@epa.gov]  
**Sent:** 2/10/2020 2:48:24 PM  
**To:** Chemerys, Ruth [Chemerys.Ruth@epa.gov]; Beck, Whitney [beck.whitney@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]  
**Subject:** RE: MN 404 assumption legal question

I am working from home so will call in. thanks.

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**From:** Chemerys, Ruth <Chemerys.Ruth@epa.gov>  
**Sent:** Monday, February 10, 2020 9:17 AM  
**To:** Beck, Whitney <beck.whitney@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Subject:** RE: MN 404 assumption legal question

I reserved the Potomac room (7301), but if we don't need it (if folks are calling in), I'll cancel

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**From:** Beck, Whitney <beck.whitney@epa.gov>  
**Sent:** Monday, February 10, 2020 9:10 AM  
**To:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Subject:** Re: MN 404 assumption legal question

Thanks Kathy!

All, I'm teleworking and am planning to call in from home today. I can't easily book a room from my personal computer, just FYI, in case someone wanted to reserve one to call in together.

Best,  
Whitney

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**From:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>  
**Sent:** Monday, February 10, 2020 8:41 AM  
**To:** Weaver, Kerryann <weaver.kerryann@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>; Grubb, Christopher <Grubb.Christopher@epa.gov>  
**Cc:** Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Morgan, James <Morgan.James@epa.gov>  
**Subject:** RE: MN 404 assumption legal question

Here is the analysis of Water Management Districts in Florida and whether they could issue 404 permits as part of an approved FL 404 program. This letter was sent from EPA so the analysis should help in MN's situation as we have a publicly stated opinion on the issue.

- Kathy

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**From:** Weaver, Kerryann <weaver.kerryann@epa.gov>  
**Sent:** Friday, February 07, 2020 10:45 AM

**To:** Kupchan, Simma <Kupchan.Simma@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>; Grubb, Christopher <Grubb.Christopher@epa.gov>  
**Cc:** Hurd, Kathy <Hurd.Kathy@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Morgan, James <Morgan.James@epa.gov>  
**Subject:** MN 404 assumption legal question

Attorney-Client Privileged Information - Deliberative-Internal Discussion Only

Tom & Simma,

I wanted to follow up on our internal MN assumption call last Tuesday. There was a request to have some legal input on the following discussion topics from BWSR. All appear to be interrelated.

**Ex. 5 AC/DP**

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# Ex. 5 AC/DP

Thanks,  
Kerryann  
312-353-9483